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c/f 109

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

W.P. No. 935/2002

PETITIONER : Sadabrij alias Sadabriksha aged about 48 years S/o Anuj ram Kanwar, R/o Village Telikot Tah. Kharsia, Distt. Raigarh (C.G.)

Versus

RESPONDENTS :

1. Ghasnin Bai aged about 45 years, Daughter of Hetram Kanwar.
2. Ashok Kumar aged about 40 years, son of Hetram Kanwar
Both residents of Village Mauhapali, Tah. Kharsia, District Raigarh (C.G.)
3. Jai Prakash Agrawal aged about 50 years Son of Shankar Lal Agrawal R/o Village Chhapriganj, Tah. Kharsia, Distt. Raigarh (C.G.)
4. State of Chhattisgarh Through Collector, Raigarh (C.G.)

P.R. No. 945/02
Presented by SHIRAM K. S. Rao
dated 06-04-2002

**WRIT PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA FOR ISSUING OF WRIT
MANDAMUS PROHIBITION AND OTHER SUITABLE
WRIT AND DIRECTION.**

आदेश पत्रक

मामला क्रमांक

W.P. No. 935/2002

सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>08-10-2002</u> Shri Ravindra Agrawal, counsel for the petitioner. Shri Ranbir Singh, Govt. Adv. for the State. Heard. Though this matter is listed for admission and considering the short point involved, on the prayer of the learned counsel for the parties, the petition is disposed of at the admission stage. The grievance of the writ petitioner is to the order dated 12-04-2002, whereby, during the pendency of the revision petition, the Additional Commissioner, Bilaspur had refused to stay his dispossession. A copy of the stay application was placed before the Court for its perusal and from a reading thereof, it is clear that necessary averments on which stay has been sought have clearly been mentioned. At any rate, since the revision petition has been taken up for hearing, it would have been proper for the authority to give interim protection regarding dispossession. While giving interim protection, the authorities could have directed the petitioner to furnish security towards	

[पीछे देखिये]

आदेश पत्रक

मामला क्रमांक

W.P.No.935/2002
सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	mesne profits. These aspects have not been taken care of by the authority and the application for interim protection has been rejected. As the record indicates, the petitioner has been in possession with the land in question since 1992. Considering the facts and circumstances of the case, the impugned order is set aside. It is directed that status quo with respect to the possession shall be maintained during the pendency of the revision petition No.213/A-23/2001-2002 before the Additional Commissioner, Bilaspur Division, Bilaspur, subject to the petitioner furnishing security towards mesne profits in the sum of Rs, 2,500/- within six weeks from today. Consequently, M.W.P.No.308/2002 and I.A.No.2832/2002 also stand disposed of.	Sd/- P. C. Naik Judge

[पीछे देखिये]

Murthy